STAND. COM. REP. NO. 1603

Honolulu, Hawaii

MAR 2 7 2019

RE: S.C.R. No. 16

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred S.C.R. No. 16 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE EXISTING PIER, SEAWALL, AND EAVE, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON."

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Board of Land and Natural Resources to authorize a term, non-exclusive easement covering a portion of state submerged lands fronting the property identified as Tax Map Key: (1) 4-5-058: seaward of 121, Kaneohe, Koolaupoko, Oahu, for the existing pier, seawall, and eave, for use, repair, and maintenance of the existing improvements constructed thereon pursuant to section 171-53, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i.

Your Committee finds that, pursuant to section 171-53, Hawaii Revised Statutes, the Board of Land and Natural Resources may lease submerged lands with the prior approval of the Governor and

2019-2830 SCR SSCR SMA.doc

the prior authorization of the Legislature by concurrent resolution. Your Committee further finds that on December 9, 2016, under agenda item D-20, and subsequently amended on June 8, 2018, under agenda item D-8, the Board of Land and Natural Resources approved a grant of a fifty-five-year term, non-exclusive easements to resolve the encroachment of the existing pier, seawall, and eave area identified in this measure. Your Committee notes that the grantee will be required to pay the State the fair market value of the easement. Your Committee concludes that the easements are necessary for the maintenance and repair of the existing pier, seawall, and eave, and for the use, repair, and maintenance of the existing improvements thereon.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 16 and recommends that it be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committee on Water and Land,

AIAIL KARELE, Chair

The Senate Thirtieth Legislature State of Hawai'i

Record of Votes Committee on Water and Land WTL

Bill / Resolution No.:*	Committee Referral:		Date:		
SCR 16	WTL, WAM			3/25/19	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
XPass, unamendedPass, with amendmentsHoldRecommit2312231123102313					
Members		Aye	Aye (WF	R) Nay	Excused
KAHELE, Kaialiʻi (C)		X			
KEITH-AGARAN, Gilbert S.C. (VC)		X			
NISHIHARA, Clarence K.					X
RIVIERE, Gil		入			
FEVELLA, Kurt					X
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TOTAL		3			2_
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes